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UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTACLERK, U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA

Theressa Burns,

Case No: 0:21-cv-02549

Plaintiff,

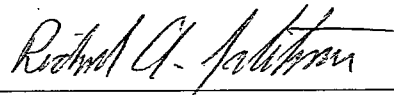
v.

AMENDED  
MEMORANDUM OF LAW

Department of Veterans Affairs  
and the Minneapolis Veterans  
Affairs Medical Center; Secretary,  
Denis McDonough; Patrick Kelly;  
Michael Armstrong; Brian Taylor  
and Mandyleigh Smoot;

Defendants.

The factual basis for this Memorandum is set forth in the Notice of Dismissal hereby respectfully incorporated by reference; The law for the Notice of Dismissal includes the Federal Rules of Civil Procedure and surrounding authority Rule 4.1(a) 1A(i) provided that the Plaintiff may dismiss an action without a court order by filing a notice of dismissal. Also, cases such as SEMPEC International, Inc. v. Lockheed Martin Corp., 531 U.S. 497, 505; 149 L.Ed.2d 32 (2001) reflect applicable law. This rule states that "the Plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." It is respectfully submitted to this Court that the Rule also states at (B) that dismissal is deemed without prejudice.

Dated: 1/7/22

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Attorney for Plaintiff

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